

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAREN DENOYER,

Plaintiff,

v.

PMI SECURITY PROTECTION INC., a/k/a PMI
SECURITY SERVICES, a/k/a PMI SECURITY,
a/k/a PMI; MANNO ASSOCIATES, INC.; PETER
MANNO, SR.,

Defendant.

No. 15-CV-4834 (KMK) (JCM)

ORDER ADOPTING R&R

KENNETH M. KARAS, District Judge:

Plaintiff Karen DeNoyer (“Plaintiff”) filed this Action on June 22, 2015 against her former employers, PMI Security Protection Inc., a/k/a PMI Security Services, a/k/a PMI Security, a/k/a PMI, Manno Associates, Inc., and Peter Manno, Sr. (collectively, “Defendants”) alleging that they violated the Fair Labor Standards Act and New York Labor Law. (Compl. (Dkt. No. 1).) After the Court issued an Order of Default, (Dkt. No. 58)), it referred this Action to Magistrate Judge Judith C. McCarthy to conduct an inquest into damages. (Dkt. No. 59). On January 23, 2018, Judge McCarthy entered a Report & Recommendation (the “R&R”) recommending that the Court enter a default judgment in favor Plaintiff and against Defendants, jointly and severally, in the amount of \$62,147.13. (Report and Recommendation (“R&R”) (Dkt. No. 64).) In the thorough R&R, Judge McCarthy provided notice that objections to the R&R were due within 14 days and that failure to object would preclude later appellate review of any order of judgment that will be entered. (*Id.* at 13.) No objections were filed.

Because no objections have been filed, the Court reviews the R&R “only for clear error on the face of the record.” *Galeana v. Lemongrass on Broadway Corp.*, 120 F. Supp. 3d 306,

310 (S.D.N.Y. 2014) (internal quotation marks omitted); *Zhen Ming Chen v. New Fresco Tortillas Taco LLC*, No. 15-CV-2158, 2017 WL 818469, at *1 (S.D.N.Y. Mar. 1, 2017) (same). Having reviewed the R&R for clear error and finding none, the Court adopts the R&R in its entirety.

Accordingly, default judgment is entered in favor of Plaintiff and against Defendants, jointly and severally, in the total amount of \$62,147.13. Specifically, Plaintiff is awarded (1) \$16,886.75 in unpaid wages and overtime pay; (2) \$16,886.75 in liquidated damages; (3) \$27,150.00 in attorneys' fees; and (4) \$1,223.63 in costs.

The Clerk of Court is respectfully directed to close this case and to mail a copy of this Order to Defendants at the following addresses:¹


Peter Manno, Sr.
6 Wexford Lane
Oceanside, NY 11572

Manno Associates, Inc.
606 Johnson Avenue, Ste. 29
Bohemia, NY 11716

PMI Security
60 E 42nd Street, Ste. 4600
New York, NY 10165
Attn: Peter Manno

SO ORDERED.

Dated: April 7, 2018
White Plains, New York


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE

¹ These addresses are not listed on the docket. Rather, Judge McCarthy directed the Clerk of Court to mail a copy of the R&R to Defendants' last known addresses according to an affidavit of service Plaintiff filed on May 24, 2017. (Dkt. No. 63 Ex. 13.) The R&R was returned to the Court marked "[n]ot deliverable as addressed" from the addresses for Manno Associates, Inc. and PMI Security, but was not returned from the address listed for Peter Manno, Sr. (See Dkt. (entries for Feb. 8, 2018 and Feb. 16, 2018).)